

E-FILED on 5/19/08

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

In re PALM TREO 600 and 650 LITIGATION

Master File No. C-05-03774 RMW

This Document Relates To:

GANS, C-05-03776

ORDER RE: JONATHAN SHUB'S MOTION  
TO WITHDRAW AS COUNSEL FOR  
PLAINTIFF RICHARD GANS

[Re Docket Nos. 54]

On December 19, 2007 Jonathan Shub filed a motion to withdraw as counsel for plaintiff Richard Gans. On January 25, 2008, the court held a hearing on the motion to withdraw. Gans did not appear at the hearing or otherwise oppose the motion.

At the hearing, the court indicated that it would grant Shub's motion to withdraw contingent upon its receipt of two items: (1) proof of timely service on Gans (and his counsel) of Shub's motion to withdraw as counsel and (2) proof that Gans is represented by counsel, preferably in the form of a declaration by Gans' present counsel.

The court has received the items requested. *See* Supplemental Decl. of Jonathan Shub, Docket No. 72. Further, Gans has withdrawn from the action and dismissed his individual complaint by stipulation of the parties. *See* Stipulation and Order for Dismissal without Prejudice, Docket No.

United States District Court  
For the Northern District of California

1 82. Accordingly, the court grants the motion for Jonathan Shub to withdraw as attorney for Richard  
2 Gans.

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5 DATED: 5/13/08 RONALD M. WHYTE  
6 United States District Judge

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Counsel are responsible for distributing copies of this document to co-counsel that have not registered for e-filing under the court's CM/ECF program.

**Dated:** 5/19/08

/s/ MAG  
**Chambers of Judge Whyte**